

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JACK C. CHILINGIRIAN,
Petitioner,

vs.

CIVIL ACTION NO. 05-CV-10005-RCL

DAVID L. WINN, WARDEN
FEDERAL MEDICAL CENTER DEVENS

HON. REGINAL C. LINDSAY, USDJ

Respondent.

**MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO
RESPONDENT DAVID L. WINN'S MOTION TO DISMISS**

NOW COMES THE ABOVE NAMED Petitioner, **JACK C. CHILINGIRIAN**, Pro Se
and hereby files the above entitled Motion and in support states as follows:

1. On January 3, 2005, the Petitioner filed the above entitled action pursuant to 28 USC §2241 & §2243 seeking relief with respect to the Bureau of Prisons calculation of Good Time Credits.
2. On March 10, 2005, the Petitioner received a copy of the Respondents Motion to Dismiss filed pursuant to FRCP 12(b)(6).
3. Petitioner remains incarcerated at the Federal Medical Center Camp Devens in Ayer, Massachusetts.
4. Petitioner is required to work from the hours of 5pm to 11PM at the Prison Power Plant.
5. The law library has two typewriters and is available for a limited period of time to the Petitioner.
6. On March 9, 2005 the 6th Circuit Court of Appeals in Petitioner's underlying criminal case remanded his case back to the District Court in

light of the Supreme Court decision in United States v. Booker, 543 US _____, (2005) and in light of the granting of Certiorari in Chilingirian v. United States, Supreme Court Docket No. 04-676.

7. As a result of these events the Petitioner will be required for a period of approximately two weeks to participate with counsel in Chicago, Illinois and Bloomfield Hills, Michigan in working on his criminal case.

8. Pursuant to Local Rule 7.1(b)(2), the Petitioner's response or opposition to the Motion to Dismiss would be required to be filed on or before March 23, 2005.

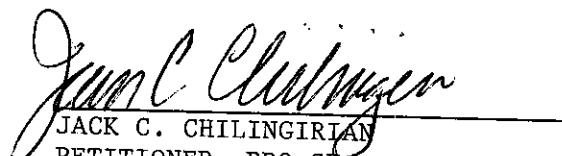
9. Petitioner requests that he be given an additional 10 days, or until April 4, 2005 within which to submit his Response to the Motion to Dismiss.

10. The relief requested is reasonable under the circumstances.

WHEREFORE, Petitioner respectfully requests that he be granted the extension of time to file a Response to the Motion to Dismiss and that such extension be thru April 4, 2005.

DATED: MARCH 14, 2005

RESPECTFULLY SUBMITTED,



JACK C. CHILINGIRIAN
PETITIONER, PRO SE
22512-039 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432

CERTIFICATE OF SERVICE

I, JACK C. CHILINGIRIAN, Petitioner in the above entitled action hereby certify that on the 14 day of March, 2005, I placed a copy of the above captioned Motion for Extension of Time to File Answer to Respondent David L. Winn's Motion to Dismiss in the mail box located at the Federal Medical Center, camp Devens, in Ayer, Massachusetts in an envelope sent first-class mail addressed to:

JENNIFER C. BOAL
ASST. U.S. ATTORNEY
DISTRICT OF MASSACHUSETTS
1 COURTHOUSE WAY
SUITE 9200
BOSTON, MA. 02210

DATED: MARCH 14, 2005

RESPECTFULLY SUBMITTED,



JACK C. CHILINGIRIAN
PETITIONER, PRO SE
22512-039 UNIT I (CAMP)
FEDERAL MEDICAL CENTER DEVENS
P.O. BOX 879
AYER, MA. 01432